

FOR IMMEDIATE RELEASE
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BOARD OF EQUALIZATION CHAMPIONS
DOMESTIC PARTNERS PROPERTY TAX PARITY

SACRAMENTO – Adding to the recent spate of equal rights victories for lesbian and gay couples in the United States, the California Board of Equalization (BOE), under the leadership of Chairwoman Carole Migden, adopted amendments to Property Tax Rule 462.240 relative to intestate succession property transfers for domestic partners.

Today's 3 to 2 vote by the Board marks the final stage of a five-month process in which the Board created rules to guarantee fair treatment for gay couples and furthers a surprising trend in civil rights accomplishment, given the current administration in Washington. The rules could go into effect as early as this fall, but will apply solely to couples registered in the State of California as domestic partners.

Previously, the transfer of real property by intestate succession from a deceased domestic partner to the surviving triggered an automatic reassessment of the property. Frequently, this resulted in the surviving partner losing his or her house during the difficult process of mourning. The BOE's rule change guarantees that if a person in a registered domestic partnership dies without a will, his or her surviving partner will not face an overwhelming tax burden during the painful loss of a loved one. This is consistent with the statutory provisions enacted by AB 2216 (Keeley) in 2002.

Chairwoman Migden hails the Board decision as pivotal in a positive trend towards securing full equality for gay and lesbian relationships despite conservatism from national leadership. "Incrementally, we continue to secure real, lasting protections for gay and lesbian couples that reflect the timbre of the voters in the country," said Migden. "Lately we've faced some tough opposition from Rome and Washington, but undaunted, we continue to press on towards true equity and greater social understanding," she said.

Chairwoman Migden also stresses the importance of utilizing newly won protections and rights. "Now that we have the necessary tools, we have to register with the state so we can use the ruling to protect ourselves and to preserve these rights for future generations," she said.

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